

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



December 31, 1996

Safe and Healthy Lives in Safe and Healthy Communities

P.S. Otis, P.E.
Remedial Project Manager
Department of Navy, Northern Division
10 Industrial HWY, Mail Stop 82
Lester, PA 19113-2090

Re: Application for a Variance
Sites 06 and 10
Naval Construction Battalion Center
Davisville, RI

Dear Mr. Otis:

The Department of Health ("Department") received from the U.S. Navy, Northern Division ("Navy") on 6 November 1996 an Application for a Variance from the Rhode Island Rules and Regulations for Lead Poisoning Prevention [R 23-24.6-PB] Sections B.1.5(a)(5) and B.3.3(c)(4) relating to soil lead evaluation at the former Naval Construction Battalion Center. Specifically, the Navy requested approval to treat the arithmetic average of discrete soil sample results identically to the method of treatment of a composite sample result in determining the lead-free status of the site. Based on a careful review of the Navy's application as well as the soil sampling data from Sites 06 and 10, the Department has made the following determination:

THE NAVY'S REQUEST FOR A VARIANCE IS HEREBY GRANTED.

Pursuant to the general authority of the Director of the Department of Health, the Department will allow the Navy to treat the arithmetic mean of the nineteen (19) discrete surface soil samples at Site 06 as a single composite sample as well as the arithmetic mean of the twenty eight (28) discrete surface soil samples at Site 10 as a single composite sample. As a result, the composite concentration of lead at Site 06 is 93 ppm and at Site 10 is 103 ppm, both of which are at the lead-free level.

This variance is granted based on the conditions stated in the Application for a Variance and the soil sampling data submitted with the application. The Department reserves the right to revoke this variance if the data are found to be inaccurate or incomplete, if it determines that the requested approach is not as protective of public health as regulatory requirements, or if future land use warrants reconsideration of this variance. In addition, please be advised that all discrete sampling data are subject to full disclosure when such disclosure is required under the federal real estate disclosure regulations (24 CFR Part 35 and 40 CFR Part 745).

Should you have any questions, please call me at (401) 277-3424.

Sincerely,

James Ballin
Deputy Chief Legal Counsel
Office of Environmental
Health Risk Assessment

cc: Robert Vanderslice, Ph.D., RIDOH
Richard Gottlieb, RIDEM